

EXHIBIT B

DONNA K. SOUTTER v. EQUIFAX INFORMATION SERVICES
CHRISTIAN, KAREN on 08/28/2013

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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF VIRGINIA
3 RICHMOND DIVISION

4

5 DONNA K. SOUTTER, for herself
6 and on behalf of all similarly
7 situated individuals,

8

Plaintiff,

9 v.

Civil Action No.
3:10-cv-00107

10 EQUIFAX INFORMATION SERVICES,
11 LLC,

12

Defendant.

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14

DEPOSITION OF KAREN CHRISTIAN

15

August 28, 2013

16

Richmond, Virginia

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1 A At that meeting, I did bring along some
2 examples of some cases in one of my counties in which
3 there were discrepancies in regards to collecting
4 updates of judgments.

5 Q What county?

6 A Goochland County.

7 Q By the way, what are your territories?

8 A I have approximately 18 counties I think.

9 Q Do you know them by heart?

10 A Yes.

11 Q What are they?

12 A Brunswick, Chesterfield, Amelia, Powhatan.

13 Q Hold on. I'm not as fast as Lori. I'm
14 embarrassed to say I'm still at Brunswick. After
15 Brunswick?

16 A Chesterfield, Amelia, Goochland, Powhatan,
17 Fluvanna.

18 Q Fluvanna?

19 A F-L-U-V-A-N-N-A.

20 Q That's one I never heard of until today.

21 A It's a small county. Cumberland,
22 Charlotte Courthouse, Mecklenburg, Halifax, Brunswick.
23 I already said that one I think. Lunenburg, Nottoway,
24 Prince George, Hopewell, Colonial Heights, Dinwiddie,
25 Petersburg. It's a lot.

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1 Q It is a lot. And approximately how long
2 have those 18 jurisdictions been your responsibility?
3 A Those particular counties were assigned to
4 me when LexisNexis took over when I signed my contract
5 with them in the spring of '07.

6 Q And have they increased or changed since
7 the spring of '07?

8 A No, I believe those are the ones I started
9 with.

10 Q How long have you been doing this record
11 gathering type of work?

12 A I've been doing this for approximately 25
13 years.

14 Q Did you work with Choice Point before
15 LexisNexis?

16 A I did.

17 Q Did you work with NDR when it was a
18 standalone before it was purchased by Choice Point?

19 A Yes.

20 Q Did you predate NDR?

21 A Yes. I started working for a company
22 called CGI back -- let's see -- in the 1980s, '87, '88
23 and I'm not sure, but I think he had contracts with
24 the major credit reporting companies.

25 Q LexisNexis actually provides you a laptop;

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1 anything unclear about it?

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2 A No.

3 Q So in spring of 2007 I want to talk about
4 category No. 1 for general district courts, your 18
5 courts. What was your responsibility, if any, for
6 gathering when you started with LexisNexis that
7 category 1, systematic collecting judgments?

8 A I was just to go into the court and
9 collect the judgments. At that time, we allowed --
10 I'm not sure about this -- 10 to 12 days for the
11 appeals process, and I would go into my court and go
12 to the public computer and put in an index. If
13 there's an index, I'll put in the dates that I would
14 be able to collect from, write down the case numbers,
15 and then pull up those case numbers one by one,
16 collect the defendant's name and all the pertinent
17 information to the judgment and then go home that
18 night and electronically upload it to LexisNexis.

19 Q Which of those -- in spring of 2007 do you
20 recall roughly which of these courts would allow you
21 to bring your laptop into the courthouse? Or if any
22 of them would not. Maybe that would be easier.

23 A I don't believe there were any that would
24 not allow bringing a laptop into the courthouse.

25 Q Did that change?

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1 Q So other than that recent occurrence in
2 Dinwiddie County, since spring of '07 are there any
3 other counties or time periods or counties that you
4 could not bring your LexisNexis laptop into the
5 courthouse?

6 A I cannot think of any. There was a short
7 period of time in Chesterfield where they told us they
8 couldn't bring laptops in and I think there was a big
9 uproar about it so I actually went to the Clerk of
10 Court in the circuit court and she gave me a
11 permission letter for my laptop.

12 Q So that was not disruptive to your --

13 A No. It was only a week or two and then it
14 was resolved.

15 Q Between the spring of 2007 and today,
16 there are different ways that you gather information
17 to put into the laptop; right?

18 A Yes.

19 Q Can you describe each way that you would
20 obtain the information from the clerk or from the
21 court -- from the general district court to put into
22 your laptop?

23 A Yes. Personally, from my list of counties
24 that I work in, there's two different ways. Some of
25 them are smaller counties that don't even have a

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1 public computer, so I have gained permission to look
2 at the original documents. So I go in and I'm able to
3 just physically look at the original documents. Most
4 of the larger counties have public computer terminals
5 for us to use so I use those to get the data.

6 Q And are those the two ways that you obtain
7 information?

8 A Those are the two ways that I obtain the
9 information.

10 Q And has that been true since spring of
11 2007?

12 A Yes.

13 Q And even -- and when you're looking at the
14 original records, are you obtaining the same
15 information fields as you would from the computer
16 screens?

17 A Yes.

18 Q And in terms of similarity or the
19 consistency of how you can obtain the data you obtain
20 in those two processes, how do they differ in terms of
21 the -- how do they materially differ in your ability
22 to systematically gather this data?

23 A I don't see a whole lot of difference.
24 The only difference is a clerk, if I'm looking at a
25 computer screen, a clerk has entered that data rather

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1 than, you know, from the original document. So it's
2 pretty much the same information.

3 Q In spring of 2007 you were being -- you
4 were still asked by LexisNexis to gather that category
5 1 information; is that correct?

6 A Yes.

7 Q So the systematic judgments?

8 A Yes.

9 Q And how long were you responsible for that
10 category of information, for those 18 counties? I
11 know at some point LexisNexis stopped using
12 contractors to gather this category 1 judgment
13 information; right?

14 A Yes, I remember that.

15 Q So can you help me time period wise?

16 A I really don't recall. It wasn't a very
17 long time period, but I can't really remember the
18 years that that happened.

19 Q And do you recall when you -- on the back
20 end of it when you, again, became responsible for
21 gathering the category 1 data?

22 A Yes.

23 Q When was that?

24 A I can't remember the exact years that it
25 was. I'm sorry.

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1 again so we did the best we could in working with the
2 clerks in getting those. And then probably within the
3 last year or so we have been told that they are
4 getting them electronically again. However, they
5 instructed us if we report updates, that we would be
6 paid for them even though they might be duplicated
7 updates to cases.

8 Q During the period in which you were
9 responsible to obtain the dispositions, the category 2
10 and not as the sort of belt and suspenders duplicate
11 gathering process of today, the time period where you
12 understood you were the only source of those
13 dispositions, how would you gather those dispositions?

14 A It depended on the county. I've got, you
15 know, over 15 counties. It depended on whether the
16 clerk wanted to cooperate with us or not. Some
17 counties would provide me with a monthly printout of
18 all of the releases and then they would put the
19 vacated judgments in a file folder and I would pick
20 those up. Some counties just absolutely refused. The
21 clerks just would not do that for us.

22 Q Do you have a recollection of which
23 particular counties?

24 A Yeah. Yeah. Chesterfield was very
25 cooperative. They would make a printout of the

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1 wasn't open that day. And there have been cases, just
2 random cases where the release date would be before
3 the judgment date, which is -- my computer will not
4 let me put that in because it's not correct. It can't
5 be correct.

6 Q So in Goochland you have seen these errors
7 more than just on a rare occasion?

8 A Yes. I had a conversation with a clerk
9 about it actually and she talked to her supervisor. I
10 was talking to a deputy clerk and just happened to
11 mention it and she talked to her supervisor and since
12 then they changed that practice.

13 Q And you have seen different kinds of human
14 error?

15 A Yes.

16 Q At different parts of your career; right?
17 In this field; right?

18 A Yes, sir.

19 Q But generally, I mean, it's not common for
20 there to be these types of, outside Goochland County,
21 these types of satisfaction date anomalies; right?

22 A I wouldn't say it's common, but it happens
23 quite a bit. I mean, it's not an everyday occurrence,
24 but I run into it quite a bit.

25 Q What does that mean, quite a bit? When's

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1 the last time you found one of those when you weren't
2 looking for it?

3 A It would have been actually one day last
4 week in Chesterfield County. I was looking at a
5 case -- I'm trying to remember exactly what it was --
6 and I talked to the clerk about it and it was actually
7 a case that was a change of venue and the way it was
8 reading on the screen they usually don't put the
9 judgment amount on there if it's a change of venue or
10 dismissed. They only put the judgment amount on the
11 computer terminal if it's been a judgment that's been
12 rendered, and I questioned the clerk about it and she
13 pulled the copies and she said, No, there wasn't a
14 judgment rendered; we shouldn't have been put the
15 amount in there. I believe it was Norfolk.

16 Q Again, I'm not talking about -- in that
17 example you gave, it was reporting a judgment where
18 there wasn't one; correct?

19 A Yes.

20 Q What is your rough estimate of the number
21 of general district court records you gathered in your
22 time with LexisNexis? First of all it's a large
23 number?

24 A Yeah, it's a large number. In my entire
25 time with LexisNexis?